

# Notice of Allowability

Application No.

09/698,143

Examiner

Michael P Nghiem

Applicant(s)

SHINADA ET AL.

Art Unit

2863

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 01 December 2004.
2. ☒ The allowed claim(s) is/are 2,9,13,18,20-25,27-31,33 and 35-46.
3. ☒ The drawings filed on 01 July 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets" ) must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948 ) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

***Examiner's Amendment***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given by Mr. Billy Raulerson during a telephone interview on January 18, 2005.

2. The application has been amended as follows:

Replace Claim 33 with the following:

-- 33. An ink cartridge for use in an ink jet recording apparatus comprising:

a container body having an ink absorbing member for absorbing ink in an ink chamber;

an ink supply port which communicates said ink chamber to a recording head;  
wherein an internal space of said container body is divided into a plurality of areas by walls,

wherein at least one of said areas is a first area forming said ink chamber and storing ink, and at least one of said areas is a second area, which is not in communication with said first area and is isolated from the stored ink,

wherein only said at least one of said areas forming said ink chamber and storing the ink is provided with said ink supply port and said ink absorbing member, and

wherein a storage device storing information regarding an ink stored amount is attached to said ink cartridge so as to be readable by a recording apparatus. --

Replace Claim 45 with the following:

-- 45. An ink cartridge for use in an ink jet recording apparatus comprising:

a container body having an ink chamber;

an ink supply port which communicates said ink chamber to a recording head;

the internal space of said container body divided into a plurality of areas by walls;

and

a storage device storing information regarding an ink stored amount is attached to said ink cartridge so as to be readable by a recording apparatus,

wherein at least one of said areas [[if]] is a first area forming said ink chamber and storing ink, and at least another one of said areas is a second area, which does not communicate with said first area and does not store the ink, and

wherein only said at least one of said areas forming said ink chamber and storing the ink is provided with said ink supply port. --

### **Conclusion**

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shimada et al. (US 6,302,530) discloses an ink cartridge comprising an internal space having a first area (12a – 12c) isolated from a second area

(12d – 12f) (Fig. 5a). However the second area contains ink and is provided with an ink supply port (Fig. 5a). Thus, in Shimada et al., the second area is not isolated from the stored ink.

***Contact Information***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P Nghiem whose telephone number is (571) 272-2277. The examiner can normally be reached on M-H.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**MICHAEL NGHIEM  
PRIMARY EXAMINER**

Michael Nghiem

January 18, 2005